

### Remarks

In response to the Office Action mailed on August 23, 2004, the Applicant sincerely requests reconsideration in view of the above amendment and the following remarks. In the above amendment, the Drawings and the Specification have been amended, claims 45-70 and 72 have been canceled, and new claims 76-106 have been added.

As shown in the attached drawing Replacement Sheets, Figures 9, 10, and 25 have been amended as Figures 9A-9B, 10A-10D, and 25A-25B. Figure 9 has been amended to show an alternative configuration of a broom head having recessed nozzles on the front of the broom head. Fig. 10 has been amended to show recessed nozzles on the front of a spray bar, a spray bar on top of a broom head with recessed nozzles, and a spray bar on top of a broom head with recessed nozzles on an angled planar surface. Fig. 25 has been amended to show an engine, pump, and, valve assembly on a broom handle and a backpack. Support for the aforementioned amendments to Fig. 9A may be found in Fig. 7 and on page 11, lines 17-18 of the Specification. Support for Fig. 9B may be found on page 10, lines 16-17, page 11, lines 17-18, and on page 13, lines 31-32 of the Specification. Support for Fig. 10A may be found in the original Fig. 10 previously filed with the application. Support for Fig. 10B may be found on page 11, lines 27-28, page 12, lines 5-6, and on page 13, lines 31-32 of the Specification. Support for Fig. 10C may be found on page 11, lines 27-28, page 12, lines 5-8, and on page 13, lines 31-32. Support for Fig. 10D may be found on page 11, lines 27-28, page 12, lines 5-8, page 13, lines 31-33, and Fig. 23. Support for Fig. 25A may be found in the originally filed Fig. 25 filed with the application. Support for Fig. 25B may be found on page 15, lines 17-18 and 27-29. No new matter has been added.



The Specification has been amended in the Brief Description of the Drawings section to include references to amended Figures 9, 10, and 25. No new matter has been added.

As noted above, new claims 76-106 have been added. Support for these claims may be found in Figs. 9A-9B, 10A-10D, 22-24, and 25B as well as on page 8, line 34 through page 9, line 1, page 9, lines 3-4 and lines 13-19, page 10, lines 5-6 and lines 16-17, page 11, lines 8-9, lines 15-19, lines 27-28, and lines 30-34, page 13, lines 20-33, page 14, lines 32-33, page 15, lines 8-9, lines 14-18, and lines 27-28 of the Specification. No new matter has been added.

Claims 45-70 and 72 are currently pending in the present application. Claims 45, 48, 51, 53, 60-64, and 72 are rejected under 35 U.S.C. § 102(b) as being anticipated by Labonte (US 745,405). Claims 45-49, 50, 51, 60-64, 68, 70 and 72 are rejected under 35 U.S.C. § 102(b) as being anticipated by Briar (US 420,236). Claims 46, 47, and 69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Chen (US 5,988,912). Claim 52 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Schultz et al. (US 4,103,381). Claims 53 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Schneider et al. (US 5,395,052). Claims 65 and 67 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Newman (Des 250,826). Claim 66 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Newman, in view of Chen. Claims 55 and 58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar. Claims 56 and 57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Applicant's admission, in view of Chen. Claim 59 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Applicant's admission, in view of Schulz et al. Claims 45, 52, and 72 are rejected under obviousness-type double patenting as being unpatentable over claims 1, 48, and 18 of U.S. Patent No. 6,692, 174. Claim 64 rejected



under obviousness-type double patenting as being unpatentable over claim 3 of U.S. Patent No. 6,413,002.

### **Elections/Restrictions**

The Examiner's withdrawal of the previously imposed restriction requirement with respect to claims 45-70 and 72 based on Applications admission that the claims are obvious variants of each other is noted. However, as referenced above, claims 45-70 and 72 have been canceled and new claims 76-106 have been added. Accordingly, it is respectfully submitted that Applicant's prior admission does not apply to the aforementioned newly added claims.

### **Drawings**

The drawings are objected to for failing to show every feature of the invention specified in claims 54 and 68. As noted above, claims 54 and 68 have been canceled. Accordingly, it is respectfully submitted that the objection to the drawings be withdrawn.

### **Specification**

The Specification is objected to as failing to provide proper antecedent basis with respect to claims 47, 51, 55 57, 58, 61, 63, 64, 67, 68, and 70. As noted above, all of the aforementioned claims have been canceled. Accordingly, it is respectfully submitted that the objection to the Specification be withdrawn.

### **Claim Rejections - 35 U.S.C. §102**

Claims 45, 48, 51, 53, 60-64, and 72 are rejected under 35 U.S.C. § 102(b) as being anticipated by Labonte. As noted above, all of the aforementioned claims have been canceled. Accordingly, it is respectfully submitted that the rejections of these claims be withdrawn. Claims 45-49, 50, 51, 60-64, 68, 70 and 72 are rejected under 35 U.S.C. § 102(b) as being



anticipated by Briar. As noted above, all of the aforementioned claims have been canceled. Accordingly, it is respectfully submitted that the rejections of these claims should be withdrawn.

### **Claim Rejections - 35 U.S.C. §103**

Claims 46, 47, and 69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Chen. Claim 52 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Schultz et al. Claims 53 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Schneider et al. Claims 65 and 67 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar in view of Newman. Claim 66 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Newman, in view of Chen. Claims 55 and 58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar. Claims 56 and 57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Applicant's admission, in view of Chen. Claim 59 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Briar, as modified by Applicant's admission, in view of Schulz et al. As noted above, all of the aforementioned claims have been canceled. Accordingly, it is respectfully submitted that the rejections of these claims should be withdrawn.

### **Double Patenting**

Claims 45, 52, 64, and 72 are rejected under obviousness-type double patenting. As noted above, all of the aforementioned claims have been canceled. Accordingly, it is respectfully submitted that the rejections of these claims should be withdrawn.

### **New Claims**

As noted above, new claims 76-106 have been added. New independent claim 76 specifies a push broom having a broom head for sweeping across the horizontal surface and a handle attached thereto for pushing and conducting fluid to the broom head, the broom head



comprising a block having a lower surface, the lower surface of the block including a plurality of bristles extending downwardly therefrom, the block further comprising an upper surface above the lower surface; a water channel formed by a molded plastic material that is positioned within the block, the water channel extending from a left side of the block to a right side of the block, for conducting fluid from the handle; a plurality of nozzles connected to the water channel for expelling fluid under pressure directly forward and downward ahead of the broom head and onto the horizontal surface; and a valve connected to the handle for regulating the fluid flow through the handle. It is respectfully submitted that the currently cited art of record (i.e., Labonte, Briar, Newman, Chen, Shultz et al., and Schneider et al., alone or in combination, fails to teach, suggest, or disclose each and every feature of independent claim 76 recited above. Therefore it is respectfully submitted that independent claim 76 and claims 77-84 which depend from claim 76, are allowable over the currently cited art of record.

New independent claim 85 specifies a push broom having a broom head for sweeping across the horizontal surface and a handle attached thereto for pushing and conducting fluid to the broom head, a broom head component comprising a block having a lower surface, the lower surface of the block including a plurality of bristles extending downwardly therefrom, the block further comprising an upper surface above the lower surface, and a block cutout section from and inset within the block that extends continuously from a left side of the block to a right side of the block; a removably attachable spray bar substantially sized to fit and positioned within the block cutout section that provides a water channel for conducting fluid from the broom handle, the spray bar further comprising a plurality of nozzles for expelling fluid under pressure directly forward and downward ahead of the broom head and onto the horizontal surface; and a valve connected to the handle for regulating the fluid flow through the handle. It is respectfully



submitted that the currently cited art of record (i.e., Labonte, Briar, Newman, Chen, Shultz et al., and Schneider et al., alone or in combination, fails to teach, suggest, or disclose each and every feature of independent claim 85 recited above. Therefore it is respectfully submitted that independent claim 85 and claims 86-90 which depend from claim 85, are allowable over the currently cited art of record.

New independent claim 91 specifies a push broom having a broom head for sweeping across the horizontal surface and a handle attached thereto for pushing and conducting fluid to the broom head, a broom head component comprising a block with a lower surface, the lower surface including a plurality of bristles extending downwardly therefrom and an upper surface above the lower surface; a spray bar comprising front, rear, top, bottom, left and right planar surfaces attached to the block where the spray bar extends from a left side of the block to a right side of the block, and where the planar surfaces form a water channel for conducting fluid from the handle, the spray bar further comprising a fixture for attaching to and receiving fluid from the handle, a plurality of nozzles placed in recessed positions behind the front planar surface for expelling fluid under pressure directly forward and downward ahead of the broom head and onto a horizontal surface, and a plurality of holes through the spray bar for receiving an attachment means for attaching the spray bar to the block; and a valve connected to the handle for regulating the fluid flow through the handle. It is respectfully submitted that the currently cited art of record (i.e., Labonte, Briar, Newman, Chen, Shultz et al., and Schneider et al., alone or in combination, fail to teach, suggest, or disclose each and every feature of independent claim 94 recited above. Therefore it is respectfully submitted that independent claim 91 and claims 92-96 which depend from claim 91, are allowable over the currently cited art of record.



New independent claim 97 specifies a push broom having a broom head for sweeping across the horizontal surface and a handle attached thereto for pushing and conducting fluid to the broom head, a broom head component comprising a lower surface, the lower surface including a plurality of bristles extending downwardly therefrom, the broom head further comprising an upper surface above the lower surface; a water channel made of a molded plastic material positioned on the block for conducting fluid from the handle to a plurality of nozzles; a plurality of nozzles connected to the water channel for expelling fluid under pressure directly forward and downward ahead of the broom head and onto the horizontal surface; an assembly comprising a fluid pump and a gasoline engine that is mounted to the broom handle; an engine control connected to the handle for regulating the gasoline engine; and a valve control connected to the handle for regulating the fluid flow through the handle. It is respectfully submitted that the currently cited art of record (i.e., Labonte, Briar, Newman, Chen, Shultz et al., and Schneider et al., alone or in combination, fail to teach, suggest, or disclose each and every feature of independent claim 97 recited above. Therefore it is respectfully submitted that independent claim 97 and claims 98-102 which depend from claim 97, are allowable over the currently cited art of record.

New independent claim 103 specifies a push broom having a broom head for sweeping across the horizontal surface and a handle attached thereto for pushing and conducting fluid to the broom head, a broom head component comprising a lower surface, the lower surface including a plurality of bristles extending downwardly therefrom, the broom head further comprising an upper surface above the lower surface; a water channel made of a molded plastic material positioned on the block for conducting fluid from the handle to a plurality of nozzles; a plurality of nozzles connected to the water channel for expelling fluid under pressure directly

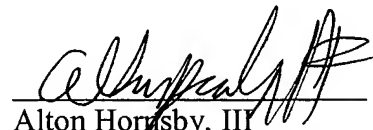


forward and downward ahead of the broom head and onto the horizontal surface; a backpack; an assembly comprising a fluid pump and gasoline engine mounted to the backpack; a connecting hose for connecting the assembly to the broom handle; an engine control connected to the handle for regulating the gasoline engine; and a valve control connected to the handle for regulating the fluid flow through the handle. It is respectfully submitted that the currently cited art of record (i.e., Labonte, Briar, Newman, Chen, Shultz et al., and Schneider et al., alone or in combination, fails to teach, suggest, or disclose each and every feature of independent claim 103 recited above. Therefore it is respectfully submitted that independent claim 103 and claims 103-106 which depend from claim 103, are allowable over the currently cited art of record.

### **Conclusion**

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,



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